

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANNMARIE MALLOZZI, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

vs.

INDUSTRIAL ENTERPRISES OF AMERICA, INC.;
JOHN MAZZUTO; JORGE YEPES; DENNIS O'NEILL;
and JAMES MARGULIES,

Defendants.
-----X

CASE No.: 07-CV-10321 (GBD)

CLASS ACTION

CLERKS' CERTIFICATE

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on November 14, 2007 (Docket no. 1) with the filing of a summons and complaint, a copy of the summons and complaint was served on defendant John Mazzutto ("Defendant"), by personal service on a person of suitable age at this Defendant's actual place of business, by mailing of the same to this Defendant's actual place of business, and proof of such service thereof was filed on November 20, 2007 (Docket no. 3).

I further certify that the docket entries indicate that Defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

DATED: New York, New York

Jan 31, 2008

J. MICHAEL MCMAHON
Clerk of the Court

By: 
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANNMARIE MALLOZZI, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

vs.

INDUSTRIAL ENTERPRISES OF AMERICA, INC.;
JOHN MAZZUTO; JORGE YEPES; DENNIS O'NEILL;
and JAMES MARGULIES,

Defendants.
-----X

CASE No.: 07-CV-10321 (GBD)

CLASS ACTION

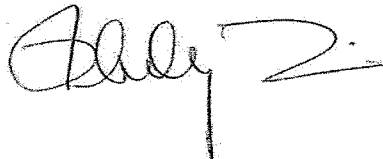
CERTIFICATE OF SERVICE

I, Phillip Kim, an attorney with the Rosen Law Firm, P.A., hereby certify under penalty of perjury, that I served a copy of the Clerk's Certificate, dated December 5, 2007, upon Defendant John Mazzutto at: 711 Third Avenue, Suite 1505, New York, New York 10017-4056, by mailing and depositing a true and correct copy of said document in a USPS mail drop located at 350 5th Avenue, NY, NY 10007 on the following date: January 31, 2008.

I certify that the foregoing is true and correct.

DATED: New York, New York

January 31, 2008



By: _____
Phillip Kim, Esq.